IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 15115 of 2004

Between:

1 M.V.R.Murthy, E-456416 S/o Appa Rao,
R/o Maddilapalem, Visakhapatnam
2 G.Y.Reddy, E-484182 S/o Ramana,
R/o Maddilapalem, Visakhapatnam
3 R.Sudhakar, E-456408 S/o Koteswar Rao,
R/o Maddilapalem, Visakhapatnam
4 P.Ramnaidu, E-484364 S/o Ramappadu,
R/o Maddilapalem, Visakhapatnam
5 K.S.Narayana, E-484367 S/o Sree Ramulu,
R/o Maddilapalem, Visakhapatnam
6 K.J.R.Rao, E-456418 S/o Kesava Rao,
R/o Maddilapalem, Visakhapatnam
7 B.M.Rao, E-456415 S/o Ramayya,
All are Drivers and Conductors working at

Visakhapatnam-I Depot and all are
R/o Maddilapalem, Visakhapatnam

..... PETITIONERS

AND

1 The APSRTC, rep. by its Vice Chairman & Managing

Director, Musheerabad, Hyderabad
2 The APSRTC, rep. by its Regional Manager,

Visakhapatnam, Visakhapatnam District

3 The APSRTC, rep. by its Depot Manager,

Visakhapatnam-I Depot, Visakhapatnam District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale Stagnation increments to the petitioners on completion of 12 years service is illegal, unjust and arbitrary, contrary to the circular instructions and consequently set aside the same directing the respondents herein to add the stagnation increment to all the petitioners on completion of 12 years service and to pay the arrears from the date of entitlement to each petitioner in the interest of justice

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondent No.: MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court at the stage of admission made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.15115 OF 2004

ORDER:

The petitioners are working as Drivers and Conductors in the respondent-Corporation. They are contending that they completed 12 years of service and they are entitled for stagnation increment in pursuance of the circular No.PD-113/1989 dated 03-06-1989. The petitioners are contending that according to the said circular, the employees, those who have put in 12 and more years of service in the same category, are entitled to get stagnation increment. As the respondent-Corporation did not consider the cases of the petitioners for the release of stagnation increment, they approached this Court seeking a direction to the respondent-Corporation for the said purpose.

2. In the light of the circumstances explained by the petitioners, and in view of the judgment of a Division Bench of this Court in W.A.No.1301 of 2000 dated 29-10-2002, the respondent-Corporation is directed to consider the cases of the petitioners regarding their request for the release of stagnation increments, and pass appropriate orders as per Rules, keeping in view the instructions of the Corporation through the circular No.PD-113/1989 dated 03-

06-1989, within two months from the date of receipt of a copy of this order.

4. The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J

25th August, 2004

SKM

TO

1 The Vice Chairman & Managing Director,

APSRTC, Musheerabad, Hyderabad
2 The Regional Manager, APSRTC,

Visakhapatnam, Visakhapatnam District
3 The Depot Manager, APSRTC,

Visakhapatnam-I Depot, Visakhapatnam District

4 Two C.D. Copies.